

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA
 CIVIL DOCKET ENTRIES FOR CASE A02-0231--CV (JWS)
 "KIVALINA RELOCATION PLANNING COMMITTEE V TECK"

Including terminated parties, excluding terminated counsel

Presiding Judge: The Honorable John W. Sedwick, U.S. District Judge
 Magistrate Judge:
 Referral Rule:
 Filed: 09/19/02
 Closed: 01/21/04

Jurisdiction: (3) Federal Question (US Govt not a Party)
 PLF Diversity:
 DEF Diversity:

Nature of Suit: (893) Environmental Matters
 33 USC 1311 (A)
 Origin: (1) Original Proceeding
 Demand:
 Filing fee: Paid \$150.00 on 09/19/02 receipt # 00118460
 Trial by: Court

Parties of Record:

Counsel of Record:

PLF 1.1 KIVALINA RELOCATION PLANNING
 COMMITTEE

Thomas A. Dosik
 Law office of Thomas A. Dosik
 Disability Law Center of Alaska
 3330 Arctic Boulevard
 Anchorage, AK 99508
 907-565-1002
 FAX 907-565-1000

Luke W. Cole
 450 Geary Street, Suite 500
 San Francisco, CA 94102
 415-346-4179
 FAX 415-346-8723

DEF 1.1 TECK COMINCO ALASKA INC

Robert J. Mahoney
 Hartig Rhodes et al
 717 K Street
 Anchorage, AK 99501
 907-276-1592
 FAX 907-277-4352

DII 1.1 NORTHWEST ARCTIC BOROUGH

David S. Case
 Landye Bennett et al
 701 W. 8th Avenue, Suite 1200
 Anchorage, AK 99501
 907-276-5152
 FAX 907-276-8433

DII 2.1 NANA REGIONAL CORP INC

James E. Torgerson
 Heller Ehrman LLP
 510 L Street, Suite 500
 Anchorage, AK 99501-1959
 907-277-1900
 FAX 907-277-1920

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA
 CIVIL DOCKET ENTRIES FOR CASE A02-0231--CV (JWS)
 "KIVALINA RELOCATION PLANNING COMMITTEE V TECK"

For all filing dates

Presiding Judge: The Honorable John W. Sedwick, U.S. District Judge
 Magistrate Judge:

Referral Rule:
 Filed: 09/19/02
 Closed: 01/21/04

Jurisdiction: (3) Federal Question (US Govt not a Party)
 PLF Diversity:
 DEF Diversity:

Nature of Suit: (893) Environmental Matters
 33 USC 1311 (A)
 Origin: (1) Original Proceeding
 Demand:
 Filing fee: Paid \$150.00 on 09/19/02 receipt # 00118460
 Trial by: Court

Document #	Filed	Docket text
1 - 1	09/19/02	Complaint filed; Summons issued.
2 - 1	09/19/02	PLF 1 Application re: non-resident attorney Luke W. Cole w/declaration.
3 - 1	09/20/02	PLF 1 Return of Service Executed.
2 - 2	09/26/02	JWS Order granting appl of non-res atty, L. Cole, to appear and participate. cc: cnsl, L. Cole
4 - 1	10/08/02	DEF 1 Attorney Appearance of Robert J. Mahoney (HARTIG).
5 - 1	10/08/02	Stipulation for ext of time until 10/30/02 to file ans.
5 - 2	10/09/02	JWS Order approving stip for ext of time until 10/30/02 to file ans (5-1). cc: cnsl
6 - 1	10/28/02	PLF 1 Notice of entry of order permitting non-res atty to appear on behalf of plf w/att exh.
7 - 1	10/30/02	DEF 1 Answer to Complaint.
8 - 1	10/31/02	JWS Minute Order re: initial case stat rpt/case S&P; Rule 16(b) rpt is due w/i 28 days. cc: cnsl
9 - 1	11/04/02	DII 1 motion for leave to intervene and supporting memorandum of law w/att exhs.
10 - 1	11/12/02	DEF 1 non-oppos to ZZZ 1 mot for leave to intervene (9-1).
11 - 1	11/13/02	PLF 1 oppo to ZZZ 1 mot for leave to intervene by Northwest Arctic Borough (9-1).
12 - 1	11/15/02	PLF 1 Errata/amended oppo re: ZZZ 1 motion for leave to intervene and supporting memorandum of law (9-1)
13 - 1	11/22/02	PLF 1 Scheduling and Planning conference report.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA
 CIVIL DOCKET ENTRIES FOR CASE A02-0231--CV (JWS)
 "KIVALINA RELOCATION PLANNING COMMITTEE V TECK"

For all filing dates

Document #	Filed	Docket text
14 - 1	11/27/02	DII 1 reply to opposition to ZZZ 1 motion for leave to intervene (9-1) w/att exhs.
15 - 1	12/11/02	JWS Scheduling and Planning Order setting pretrial ddlns: Original disc 02/16/04; disp mots ddln 03/16/04; 7 day TBC estimate. cc: cns1
16 - 1	01/07/03	JWS Order denying motion for leave to intervene and supporting memorandum of law (9-1). cc: cns1
17 - 1	01/17/03	DII 1 motion for reconsideration of 1/7/03 order denying intervention w/att exhs
18 - 1	01/24/03	JWS Minute Order that plf file oppo or non-oppo to ZZZ-1 mot for reconsideration of ord denying req to intervene by 2/3/03; no reply to be fld unless req by crt. cc: cns1
19 - 1	01/31/03	ZZZ 2 motion for leave to intervene as a defendant w/att proposed ans and exhs.
20 - 1	02/03/03	DII 1 Application re: non-resident attorney Thane W. Tieson w/LLC D. Case w/att aff & cert.
20 - 2	02/03/03	RRB Order that Thane W. Tienson is allowed to appear and participate pro hac vice on behalf of Northwest Arctic Borough. cc: cns1, T. Tienson
21 - 1	02/03/03	PLF 1 Unopposed motion to serve plf's lead counsel by district court (in addition to local) w/att declaration
22 - 1	02/03/03	PLF 1 opposition to ZZZ 1 motion for reconsideration of 1/7/03 order denying intervention (17-1)
23 - 1	02/07/03	DEF 1 Preliminary Witness List.
24 - 1	02/10/03	JWS Minute Order denying unopposed motion to serve plf's lead counsel by district court (21-1). cc: cns1
25 - 1	02/10/03	JWS Order denying mot for reconsideration of 1/7/03 order denying intervention (17-1). cc: cns1
26 - 1	02/14/03	PLF 1 oppo to ZZZ 2 mot for leave to intervene as a def (19-1).
27 - 1	02/26/03	ZZZ 2 Unopposed motion for one day extension of time to file reply to motion for leave to intervene as a defendant.
27 - 2	02/27/03	Order granting unoppo mot for one day ext of time to file reply to motion to intervene (27-1). cc: cns1
28 - 1	02/27/03	ZZZ 2 reply to opposition to ZZZ 2 motion for leave to intervene as a defendant (19-1) w/att exhs.
29 - 1	02/28/03	ZZZ 2 Notice of filing amended cert of svc re: reply in support re: ZZZ 1 motion for leave to intervene and supporting memorandum of law (9-1).
30 - 1	03/03/03	DII 1 appeal to 9CCA of (16-1) filed 01/07/03, (25-1) filed 02/10/03 w/att exhs. cc: cns1, Judge Sedwick, 9CCA

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA
 CIVIL DOCKET ENTRIES FOR CASE A02-0231--CV (JWS)
 "KIVALINA RELOCATION PLANNING COMMITTEE V TECK"

For all filing dates

Document #	Filed	Docket text
NOTE - 1	03/05/03	Transmittal: Forwarded notice of appeal (30-1) to 9CCA.
31 - 1	03/11/03	PLF 1 Stipulation changing lead counsel to be served by USDC from T. Dosik to L. Cole.
32 - 1	03/17/03	DII 1 Transcript Designation Form re: notice of appeal (30-1); no transcripts will be ordered.
31 - 2	03/18/03	JWS Order approving stip changing lead counsel to be served by USDC from T. Dosik to L. Cole (31-1). cc: cns1, L. Cole
33 - 1	03/19/03	Cy 9CCA Time Schedule Order. (30-1) cc:cns1
34 - 1	03/21/03	DEF 1 motion to join NANA Regional Corporation as party defendant w/att memo, decla and exhs.
35 - 1	03/21/03	DEF 1 motion for leave to file first amended answer w/att prop amended ans.
36 - 1	04/04/03	DII 1 motion for stay of proceedings pending resolution of interlocutory appeal.
37 - 1	04/07/03	PLF 1 opposition to DEF 1 motion to join NANA Regional Corporation as party defendant (34-1).
38 - 1	04/07/03	PLF 1 Objection under F.R.C.P. 37(c)(1) to DEF 1's improper introduction of evidence w/att decl.
39 - 1	04/09/03	JWS Order granting/denying mot for leave to intervene as a def (19-1); terminating in light of this ord: mot to join NANA Regional Corp as party def (34-1), mot for leave to file first amended ans (35-1). cc: cns1
40 - 1	04/09/03	DII 2 Answer to Complaint.
41 - 1	04/14/03	DEF 1 motion for reconsideration of order denying motion to amend answer.
42 - 1	04/15/03	DEF 1 Disclosure statement.
43 - 1	04/16/03	PLF 1 opposition to ZZZ 1 motion for stay of proceedings pending resolution of interlocutory appeal (36-1).
44 - 1	04/25/03	JWS Minute Order granting mot for reconsideration of ord denying mot to amend ans (41-1); reinstating mot for leave to file first amended answer (35-1). cc: cns1
44 - 2	04/25/03	JWS Minute Order granting motion for leave to file first amended answer (35-1).
45 - 1	04/25/03	DEF 1 Answer (1st Amended).
46 - 1	04/25/03	DII 1 reply to opposition to ZZZ 1 motion for stay of proceedings pending resolution of interlocutory appeal (36-1)
47 - 1	04/28/03	PLF 1 motion for partial summary judgment w/att memo, declas and exhs.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA
 CIVIL DOCKET ENTRIES FOR CASE A02-0231--CV (JWS)
 "KIVALINA RELOCATION PLANNING COMMITTEE V TECK"

For all filing dates

Document #	Filed	Docket text
48 - 1	04/28/03	PLF 1 Request for Oral Argument re: PLF 1 motion for partial summary judgment (47-1).
49 - 1	04/29/03	PLF 1 opposition to DEF 1 motion for reconsideration of order denying motion to amend answer (41-1).
50 - 1	05/02/03	DEF 1 reply to opposition to DEF 1 motion for reconsideration of order denying motion to amend answer (41-1).
51 - 1	05/06/03	PLF 1 Notice of intent to file amended mot for sj.
52 - 1	05/09/03	PLF 1 Revised Memo in support re: PLF 1 mot for part sj (47-1) w/att stmt of facts, decla and exhs.
53 - 1	05/14/03	Stipulation for ext of time until 5/19/03 for DEF 1 to file rule 56(f) mot for ext of time to respond to plf's mot for part sj.
54 - 1	05/14/03	Stipulation for ext of time that DII-2's oppo to plf's mot for part sj be due at the same time as DEF 1's oppo.
53 - 2	05/15/03	JWS Order approving stip for ext of time until 5/19/03 for DEF 1 to file rule 56(f) mot for ext of time (53-1). cc: cns1
54 - 2	05/15/03	JWS Order approving stip for ext of time that DII-2's oppo to plf's mot for part sj be due when DEF 1's oppo is due (54-1). cc: cns1
55 - 1	05/16/03	JWS Order denying motion for stay of proceedings pending resolution of interlocutory appeal (36-1). cc: cns1
56 - 1	05/19/03	DEF 1 motion for rule 56(f) continuance until 9/1/03 of plaintiff's summary judgment motion pending further discovery w/att aff and exhs.
57 - 1	05/19/03	DEF 1 Notice of fax cy of signature of M. Thompson to decla re: DEF 1 mot for rule 56(f) continuance until 9/1/03 of plf's sj mot pending further disc (56-1).
NOTE - 2	05/20/03	Issued: subps
58 - 1	05/23/03	DEF 1 Errata w/att exhs re: DEF 1 motion for rule 56(f) continuance until 9/1/03 of plaintiff's summary judgment motion pending further discovery (56-1).
59 - 1	05/23/03	DEF 1 motion to clarify scheduling and planning order or in the alternative to vacate the time limit for filing jurisdiction motions.
60 - 1	05/28/03	DEF 1 Notice of filing original signature page of M. Thompson to declaration re: DEF 1 motion for rule 56(f) continuance until 9/1/03 of plaintiff's summary judgment motion pending further discovery (56-1) .
61 - 1	05/30/03	DII 2 motion for leave to file supplemental briefing in support of DEF 1's mot for continuance w/att prop memo.
62 - 1	06/03/03	JWS Minute Order granting mot for leave to file suppl brfing (61-1). cc: cns1
63 - 1	06/03/03	DII 2 Memo in support re: DEF 1 motion for rule 56(f) continuance until 9/1/03 of plf's sj mot pending further disc (56-1) w/att aff and exh.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA
 CIVIL DOCKET ENTRIES FOR CASE A02-0231--CV (JWS)
 "KIVALINA RELOCATION PLANNING COMMITTEE V TECK"

For all filing dates

Document #	Filed	Docket text
64 - 1	06/03/03	PLF 1; DEF 1 Stipulation for ext of time until 6/13/03 for plf to file oppo to mot for continuance.
64 - 2	06/04/03	Order approving stip for ext of time until 6/13/03 for plf to file oppo to mot for continuance (64-1). cc: cns1
65 - 1	06/04/03	JWS Minute Order granting mot to clarify S&P ord or in the alternative to vacate (59-1); ddln for mots re: subject matter jurisdiction ext to 9/13/03. cc: cns1
66 - 1	06/10/03	PLF 1 opposition to DEF 1 motion for rule 56(f) continuance until 9/1/03 of plaintiff's summary judgment motion pending further discovery (56-1) w/att aff and exh.
67 - 1	06/13/03	PLF 1 Hearsay objections to declarations of James Kulas and Mark Thompson under F.R.E. Rules 801(c) and 802.
68 - 1	06/13/03	PLF 1 oppo to DEF 1 mot for rule 56(f) cont until 9/1/03 of plf's sj mot pending further disc (56-1) w/att declarations.
69 - 1	06/20/03	PLF 1 response to NANA's memo in support re: DEF 1 motion for rule 56(f) continuance until 9/1/03 of plaintiff's summary judgment motion pending further discovery (56-1)
70 - 1	06/24/03	PLF 1; DEF 1 Stip for ext to 6/27/03 to reply to opp to mot for continuance w/att notice of filing faxed signature
70 - 2	06/25/03	Order granting stipulation for ext to 6/27/03 to reply to opp to mot for continuance under FRCP Rule 56(f) (70-1). cc: cns1
71 - 1	06/27/03	DII 2 motion to ext time to file reply re mot for Rule 56(f) continuance to 7/3/03
72 - 1	06/27/03	DEF 1 reply to opposition to DEF 1 motion for rule 56(f) continuance until 9/1/03 of plaintiff's summary judgment motion pending further discovery (56-1)
73 - 1	06/30/03	DEF 1 Request for Oral Argument re: DEF 1 motion for rule 56(f) continuance until 9/1/03 of plaintiff's summary judgment motion pending further discovery (56-1).
74 - 1	06/30/03	PLF 1 opposition to DII 2 motion to ext time to file reply re mot for Rule 56(f) continuance to 7/3/03 (71-1).
75 - 1	06/30/03	DII 2 reply to opposition to DII 2 motion to ext time to file reply re mot for Rule 56(f) continuance to 7/3/03 (71-1).
76 - 1	07/02/03	DEF 1 response to PLF 1's hearsay obj re decla of J. Kulas and M. Thompson in support of DEF 1 motion for rule 56(f) continuance.
77 - 1	07/03/03	JWS Minute Order granting mot to ext time to file reply re mot for Rule 56(f) continuance to 7/3/03 (71-1). cc: cns1
78 - 1	07/03/03	DII 2 reply to opposition to DEF 1 motion for rule 56(f) continuance until 9/1/03 of plf's sj mot pending further disc (56-1) w/att decla.
79 - 1	07/03/03	RETURNED PER ORDER AT DKT 80: PLF 1 objection to factual misrepresentations in DEF 1's reply re: DEF 1 motion for rule 56(f)

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA
 CIVIL DOCKET ENTRIES FOR CASE A02-0231--CV (JWS)
 "KIVALINA RELOCATION PLANNING COMMITTEE V TECK"

For all filing dates

Document #	Filed	Docket text
		continuance until 9/1/03 of plf's sj mot pending further disc (56-1).
80 - 1	07/08/03	JWS Minute Order directing clk to return suppl brf at dkt 79 to plf for failure to file mot for leave. cc: cns1
81 - 1	07/15/03	PLF 1 reply in support of PLF 1's hearsay obj to declas of J. Kulas and M. Thompson re: DEF 1's mot for rule 56(f) continuance.
82 - 1	07/15/03	PLF 1 motion for leave to file objection to factual misrepresentations in Teck Cominco's reply brief w/att obj.
83 - 1	07/17/03	JWS Minute Order granting motion for leave to file objection to factual misrepresentations in Teck Cominco's reply brf (82-1). cc: cns1
84 - 1	07/17/03	PLF 1 objs to factual misrepresentations in DEF 1 reply re: DEF 1 mot for rule 56(f) continuance until 9/1/03 of plf's sj mot pending further disc (56-1).
85 - 1	07/29/03	JWS Order granting mot for rule 56(f) continuance until 9/1/03 of plf's sj (56-1); DEF 1 and DII-2 oppos due 9/2/03; plf reply due 9/30/03. cc: cns1
86 - 1	08/06/03	Cy 9CCA Certificate of Record. (30-1) cc: cns1, Judge Sedwick, 9CCA (Original)
87 - 1	08/29/03	DEF 1 motion for summary judgment w/att exhs.
88 - 1	09/02/03	DII 2 motion for summary judgment w/att memo, declaration and exhs.
88 - 2	09/02/03	DII 2 opposition to PLF 1 motion for partial summary judgment (47-1) w/att memo, declaration and exhs.
89 - 1	09/03/03	DEF 1 motion to accept filing of brief one day late
90 - 1	09/03/03	DEF 1 motion to file overlength memo/opp to KRPC's mot for part SJ & cross-mot for part SJ.
90 - 2	09/04/03	JWS Order granting motion to file overlength memo/opp to KRPC's mot for part SJ & cross-mot for partial SJ (90-1). cc: cns1
91 - 1	09/04/03	JWS Order granting motion to accept filing of brief one day late (89-1). cc: cns1
92 - 1	09/04/03	DEF 1 opposition to PLF 1 motion for partial summary judgment (47-1)
92 - 2	09/04/03	DEF 1 motion (cross) for partial summary judgment w/att exhs & notice of faxed cys of declarations (oversized document in accordian folder)
93 - 1	09/09/03	PLF 1 Notice of unavailability of cns1.
94 - 1	09/09/03	PLF 1 Unopposed motion to consolidate briefing schedule.
95 - 1	09/10/03	JWS Order granting unoppo mot to consolidate brfing schedule (94-1); plf's responses to mots for sj due 9/30/03. cc: cns1
96 - 1	09/12/03	DEF 1 Errata and notice of filing original decla re: oppo to PLF 1 mot for part sj (47-1), DEF 1 mot (cross) for part sj (oversized document in accordian folder) (92-2).

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA
 CIVIL DOCKET ENTRIES FOR CASE A02-0231--CV (JWS)
 "KIVALINA RELOCATION PLANNING COMMITTEE V TECK"

For all filing dates

Document #	Filed	Docket text
97 - 1	09/19/03	PLF 1 motion for extension of time to respond to Teck Cominco's untimely brief w/att decla and exhs.
98 - 1	09/22/03	JWS Minute Order granting mot for ext of time to respond to Teck Cominco's untimely brief (97-1); response due 11/17/03. cc: cns1
99 - 1	09/30/03	PLF 1 opposition to DII 2 motion for summary judgment (88-1) w/att declas and exhs. (original located in folder behind file)
100 - 1	09/30/03	PLF 1 opposition to DEF 1 motion for summary judgment (87-1) w/att declas and exhs. (original located in folder behind file)
101 - 1	09/30/03	PLF 1 motion to strike Teck Cominco's exhibits to its motion for summary judgment.
102 - 1	10/01/03	Unopposed motion (joint calendaring motion) that DEF 1 and DEF II-2 replies to their motions for summary judgment be due 10/27/03; that plf's reply and opposition DEF 1's opposition to plf's motion for partial summary judgment and cross-motion for partial summary judgment be due 11/18/03; that DEF 1's reply to cross-motion for partial summary judgment be due 12/08/03; that deadline for exchange of expert rpts be 12/31/03 and ddln for exchange of rebuttal reports be 01/30/04.
103 - 1	10/09/03	DEF 1 opposition to PLF 1 motion to strike Teck Cominco's exhibits to its motion for summary judgment (101-1) w/att aff.
102 - 2	10/14/03	JWS Order granting unoppo mot (joint calendaring mot) that DEF 1 and DEF II-2 replies to mots for sj due 10/27/03; plf reply/oppo to DEF 1 oppo/cross-mot for part sj due 11/18/03; DEF 1 reply/oppo to plf oppo/cross-mot for part sj due 12/8/03; exchange of rpt of retained experts due 12/31/03; ddln for exchange of rebuttal rpts due 1/30/04 (102-1). cc: cns1
104 - 1	10/17/03	Stipulation and Order that plf have until 11/10/03 to file reply to def's oppo to mot to strike. cc: cns1
105 - 1	10/27/03	DII 2 reply to opposition to DII 2 motion for summary judgment (88-1) w/att decla and exhs.
106 - 1	10/27/03	DEF 1 reply to opposition to DEF 1 motion for summary judgment (87-1) w/att aff and exhs.
107 - 1	10/27/03	DEF 1 motion for additional time to file video tape exhibit as exhibit 16 to reply to opposition to Teck's motion for summary judgment.
108 - 1	10/28/03	JWS Order granting mot for addl time to file video tape exh as exh 16 to reply to mot for sj (107-1). cc: cns1
109 - 1	10/28/03	DEF 1 Notice of filing exh 16 to reply to KRPC's judgment re: DEF 1 motion for summary judgment (87-1) w/att exh.
110 - 1	11/10/03	PLF 1 reply to opposition to PLF 1 motion to strike Teck Cominco's exhibits to its motion for summary judgment. (101-1)
111 - 1	11/18/03	PLF 1 motion to strike certain exhibits attached to Teck Cominco's opposition to motion for partial summary judgment.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA
 CIVIL DOCKET ENTRIES FOR CASE A02-0231--CV (JWS)
 "KIVALINA RELOCATION PLANNING COMMITTEE V TECK"

For all filing dates

Document #	Filed	Docket text
112 - 1	11/18/03	PLF 1 motion for leave to file overlength reply memorandum w/att prop reply.
113 - 1	11/19/03	JWS Order granting mot for leave to file overlength reply memo (112-1). cc: cns1
114 - 1	11/19/03	PLF 1 reply to opposition to PLF 1 motion for partial summary judgment (47-1) w/att exhs. (original in folder behind file)
114 - 2	11/19/03	PLF 1 opposition to DEF 1 motion (cross) for partial summary judgment (92-2) w/att exhs. (located in expando folder behind file)
115 - 1	11/20/03	JWS Order granting/denying mot to strike Teck Cominco's exhs to its mot for sj (101-1); exhs 1-10 of mot at dkt 87 will not be considered. cc: cns1
116 - 1	11/21/03	PLF 1 Notice of earlier filing of oppo to DEF 1's cross-mot for sj.
117 - 1	11/21/03	DEF 1 motion to reconsider 11/20/03 order striking exhibits.
118 - 1	12/04/03	JWS Minute Order that plf file response to mot to reconsider at dkt 117 by 12/12/03; no reply to be fld unless req by crt. cc: cns1
119 - 1	12/08/03	DEF 1 opposition to PLF 1 motion to strike certain exhibits attached to Teck Cominco's opposition to motion for partial summary judgment (111-1).
120 - 1	12/08/03	DEF 1 motion to stay consideration of summary judgment motions regarding alleged TDS violations pending completion of modified permit proceedings.
121 - 1	12/08/03	DEF 1 motion for leave to file overlength reply to KRPC's opposition Teck Cominco's cross-motion for partial summary judgment w/att prop overlength reply.
122 - 1	12/08/03	DEF 1 Request for Oral Argument re: DEF 1 mot (cross) for part sj (92-2).
123 - 1	12/08/03	DEF 1 Notice of faxed declas in support of cross-mot for sj and reply brf in support of cross-mot for part sj.
124 - 1	12/08/03	DEF 1 Certificate of Service re: reply to oppo to DEF 1 mot (cross) for part sj (92-2), DEF 1 Notice of faxed declas (123-1), DEF 1 mot to stay consideration of sj mots re: alleged TDS violations pending completion of modified permit proceedings (120-1), DEF 1 mot for leave to file overlength reply to KRPC's oppo Teck Cominco's cross-mot for part sj (121-1), DEF 1 req for o/a (122-1).
125 - 1	12/09/03	JWS Minute Order granting motion for leave to file overlength reply to KRPC's opposition to Teck Cominco's cross-mot for part sj (121-1). cc: cns1
126 - 1	12/09/03	DEF 1 reply to opposition to DEF 1 motion (cross) for partial summary judgment (92-2) w/att exhs. (located in folder behind file)
127 - 1	12/10/03	PLF 1 opposition to DEF 1 motion to reconsider 11/20/03 order striking exhs (117-1) w/att exh.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA
 CIVIL DOCKET ENTRIES FOR CASE A02-0231--CV (JWS)
 "KIVALINA RELOCATION PLANNING COMMITTEE V TECK"

For all filing dates

Document #	Filed	Docket text
128 - 1	12/10/03	DEF 1 motion for leave to file supplemental exhibits to reply to opposition to motion for partial summary judgment w/att exhs.
129 - 1	12/10/03	DEF 1 Errata re: reply to oppo to DEF 1 mot (cross) for part sj (92-2).
130 - 1	12/11/03	JWS Order denying mot to reconsider 11/20/03 order striking exhs (117-1). cc: cns1
131 - 1	12/12/03	DII 2 Final Witness List.
132 - 1	12/12/03	DEF 1 Final Witness List.
133 - 1	12/15/03	PLF 1 Address Change Notice of T. Dosik.
134 - 1	12/15/03	PLF 1 Notice of filing original signatures to declas in support of reply re: PLF 1 motion for partial summary judgment (47-1) w/att declas.
135 - 1	12/15/03	DEF 1 Notice of filing orig signature pages to declas in support of DEF 1 reply to plf's oppo re: DEF 1 mot (cross) for part sj (92-2) w/att declas.
136 - 1	12/17/03	9CCA Judgment/Final Order re: notice of appeal (30-1) that the district court's decision is REVERSED and REMANDED w/att memo. cc: cns1, Judge Sedwick
137 - 1	12/18/03	JWS Minute Order re: mandate and mot to intervene; ans att to dkt 9 to be fld. cc: cns1
138 - 1	12/18/03	DII 1 Answer to Complaint.
139 - 1	12/18/03	PLF 1 motion for leave to file final witness list 6 days late w/att prop wit list.
140 - 1	12/19/03	PLF 1 opposition to DEF 1 motion to stay consideration of summary judgment motions regarding alleged TDS violations pending completion of modified permit proceedings (120-1).
141 - 1	12/22/03	PLF 1 non-opposition to DEF 1 motion for leave to file supplemental exhibits to reply to opposition to motion for partial summary judgment (128-1).
142 - 1	12/22/03	PLF 1 reply to opposition to PLF 1 motion to strike certain exhibits attached to Teck Cominco's opposition to motion for partial summary judgment (111-1).
143 - 1	12/22/03	PLF 1 motion to strike portions of Teck Cominco's reply in support of cross motion for summary judgment.
144 - 1	12/23/03	Copy of Order from 9CCA that appellant's bill of costs rec'd on 12/12/03 is denied as untimely. (30-1) cc:cns1
145 - 1	12/24/03	DII 1 Unopposed motion to extend deadlines in scheduling and planning order w/att memo.
146 - 1	12/29/03	JWS Order granting unoppo mot to extend ddlns in S&P ord (145-1); disc re: DII-1 to close 06/30/04; disp mots deadline for DII-1 07/30/04. cc: cns1

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA
 CIVIL DOCKET ENTRIES FOR CASE A02-0231--CV (JWS)
 "KIVALINA RELOCATION PLANNING COMMITTEE V TECK"

For all filing dates

Document #	Filed	Docket text
147 - 1	12/29/03	JWS Minute Order granting motion for leave to file final witness list 6 days late (139-1). cc: cns1
148 - 1	12/29/03	PLF 1 Final Witness List.
149 - 1	12/29/03	DEF 1 Notice of filing original signature pages to M. Botz and J. Kulas decias re: DEF 1 reply to PLF 1 oppo to DEF 1 mot (cross) for part sj (92-2) w/att decias.
150 - 1	12/29/03	DEF 1 non-opposition to PLF 1 motion for leave to file final witness list 6 days late (139-1).
151 - 1	12/29/03	DEF 1 motion for leave to file reply to plaintiff's opposition to motion to stay on 1/5/04 w/att decla.
152 - 1	12/31/03	JWS Order granting mot for leave to file reply to plaintiff's opposition to motion to stay on 1/5/04 (151-1). cc: cns1
153 - 1	12/31/03	JWS Minute Order granting mot for leave to file suppl exhs to reply to oppo to mot for part sj (128-1). cc: cns1
154 - 1	01/05/04	DEF 1 reply to opposition to DEF 1 motion to stay consideration of summary judgment motions regarding alleged TDS violations pending completion of modified permit proceedings (120-1).
155 - 1	01/05/04	DEF 1 Decla of V. Chaobal re: DEF 1 reply to oppo to DEF 1 motion to stay consideration of summary judgment motions regarding alleged TDS violations pending completion of modified permit proceedings. (120-1)
156 - 1	01/07/04	DEF 1 motion to extend deadline until 1/12/04 to oppose KRPC's motion to strike portions of Teck Cominco's summary judgment reply w/att aff.
157 - 1	01/08/04	JWS Order granting mot to extend ddln until 1/12/04 to oppose KRPC's mot to strike (156-1). cc: cns1
158 - 1	01/12/04	DEF 1 opposition to PLF 1 motion to strike portions of Teck Cominco's reply in support of cross motion for summary judgment (143-1).
159 - 1	01/20/04	PLF 1 reply to opposition to PLF 1 motion to strike portions of Teck Cominco's reply in support of cross motion for summary judgment (143-1).
160 - 1	01/20/04	PLF 1 motion for leave of court to file KRPC's notice of TDS violations directly relevant to Teck Cominco's motion for stay w/att exhs.
161 - 1	01/21/04	JWS Order granting mot for sj (87-1), mot for sj (88-1); terminating in light of this ord: mot for part sj (47-1), mot (cross) for part sj (92-2), mot to strike certain exhs attached to Teck Cominco's oppo to mo (111-1), mot to stay consideration of sj mot re: alleged TD (120-1), mot to strike portions of Teck Cominco's reply in support of cross mot (143-1). cc: cns1
162 - 1	01/21/04	JWS Minute Order terminating in light of this order: mot for leave of crt to file KRPC's notice of TDS violations directly (160-1). cc: cns1
163 - 1	01/21/04	JWS Judgment that plf's clms against DEF 1 are disp. cc: cns1, O&J 11635

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA
 CIVIL DOCKET ENTRIES FOR CASE A02-0231--CV (JWS)
 "KIVALINA RELOCATION PLANNING COMMITTEE V TECK"

For all filing dates

Document #	Filed	Docket text
164 - 1	01/21/04	DEF 1 motion for leave to file supplemental materials (EAB order granting expedited consideration of KRPC appeal of EPA's issuance of modified NPDES permit) w/att decla and exh.
165 - 1	01/22/04	JWS Minute Order terminating in light of this order: mot for leave to file supplemental materials (EAB order granting expedited) (164-1). cc: cns1
166 - 1	01/30/04	PLF 1 motion to alter judgment w/att declarations, notice of filing facsimile signatures & exh.
167 - 1	01/30/04	PLF 1 motion for leave to amend complaint w/att declaration & proposed amended cmplt.
168 - 1	02/09/04	JWS Order denying motion to alter judgment (166-1); terminating in light of this order: motion for leave to amend complaint (167-1). cc: cns1
169 - 1	03/08/04	PLF 1 appeal to 9CCA of (163-1) filed 01/21/04, (168-1) filed 02/09/04. cc:cns1, Judge Sedwick, 9CCA
NOTE - 3	03/09/04	Transmittal: Forwarded notice of appeal (169-1) to 9CCA.
170 - 1	03/09/04	Cy 9CCA Certificate of Record. (169-1) cc: cns1, Judge Sedwick, 9CCA (original)
171 - 1	03/12/04	DEF 1 Conditional cross-appeal to 9CCA of (115-1) filed 11/20/03, (130-1) filed 12/11/03, (161-1) filed 01/21/04. cc:cns1, Judge Sedwick, 9CCA
172 - 1	03/15/04	Cy 9CCA Certificate of Record. (171-1) cc: cns1, Judge Sedwick, 9CCA (Original)
173 - 1	03/18/04	Cy 9CCA Time Schedule Order. (169-1) cc:cns1
174 - 1	04/02/04	Cy 9CCA Time Schedule Order. (171-1) cc:cns1
175 - 1	08/05/04	Copy of Order from 9CCA. (169-1) Intervenor-Appellee's mot to dsms appeal for lack of jurisdiction denied w/o prejudice to reconsideration in answering briefs, which have already been submitted. Appellee/Cross-Appellant's mot for voluntary dsms1 of x-appeal 04-35228 (dkt #171) granted. Mot to strike mot to dsms, mot to take judicial notice and mot to add parties pursuant to Rule 21 of FRCP and any oppos & replies thereto, are referred to the panel that will consider the merits of the appeal. Case is ready for calendaring. cc:cns1
175 - 2	08/05/04	9CCA Final Order re: notice of appeal (171-1) that appellee/x-appellant's mot for voluntary dsms1 of x-appeal granted, appeal is dismissed. Certified cy of order sent to DC shall constitute the mandate for x-appeal. cc: cns1
NOTE - 4	05/17/05	Transmittal: Forwarded D.C. record to 9CCA consisting of 10 vols and 10 expandos.
NOTE - 5	08/25/05	Notation (re: Appeal): D.C. record received from 9CCA consisting of 10 vols and 10 expandos.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA
CIVIL DOCKET ENTRIES FOR CASE A02-0231--CV (JWS)
"KIVALINA RELOCATION PLANNING COMMITTEE V TECK"

For all filing dates

Document #	Filed	Docket text
176 - 1	09/12/05	9CCA Judgment/Final Order re: notice of appeal (169-1) that the district court's decision is AFFIRMED w/att memo.